

**MARTINSVILLE PLAN COMMISSION
MEETING MINUTES
January 24, 2006**

Chairman David Barger called the meeting of the Martinsville Plan Commission to order at 7:00 PM on Tuesday, January 24, 2006, in the Council Chambers of City Hall, Martinsville, IN.

ATTENDANCE: Those members present were:

David Barger, Chairman
Douglas Arthur
Terry Collier
Ross Holloway
Grady Howard
Mike Kirsch
Marilyn Siderewicz, Secretary
Richard Walters
Tom Williams
Rod Bray, Attorney

MINUTES:

The minutes of the November 22, 2005, meeting were approved upon a motion by Terry Collier and a second by Richard Walters. Motion passed unanimously.

ELECTION OF OFFICERS FOR THE YEAR OF 2006:

Ross Holloway made a motion to have the officers from the previous year serve for the year of 2006. This motion was seconded by Terry Collier and passed unanimously.

OFFICERS FOR THE PLAN COMMISSION FOR 2006:

Chairman --- David Barger
Vice Chairman --- David Trout
Secretary --- Marilyn Siderewicz
Attorney --- Rod Bray

MOTION: Grady Howard made a motion that Mike Kirsch be appointed as the buffer zone member to the Board of Zoning Appeals. The motion was seconded by Tom Williams and passed unanimously.

P-06-01-01. Frank Hacker, 2885 Lincoln Hill Road, Martinsville, IN.
Requested a 2-lot Minor Plat Approval on approximately 7.9 acres located at 940 Hacker Drive, Martinsville, IN.

John Larrison, Encompass Engineering, LLC, Greenfield, IN, made the presentation to the Plan Commission. Mr. Larrison told the Commission this is the final division in the settlement of the Hacker Estate. No building on Lot 2 is anticipated.

City Engineer Ross Holloway said his questions had been answered. Mr. Holloway further stated it would be necessary to obtain approval from the Morgan County Drainage Board. No building can be done on Lot 2 without returning to the city for approval.

REMONSTRATORS:

Judy Wright, R.J. Boulevard. Ms. Wright was concerned about the flood zone. She questioned if there would be a development of homes behind her neighborhood.

Juanita McGraw, R.J. Boulevard. Ms. McGraw discussed the fact that there is only one entry to her addition. She was concerned how this would work with an emergency situation.

MOTION:

Tom Williams a motion to grant a 2-lot Minor Plat Approval on approximately 7.9 acres located at 940 Hacker Drive, Martinsville, IN. The motion was seconded by Mike Kirsch and passed unanimously.

P-06-01-02. O'Reilly Automotive Inc., 2335 S. Patterson, Springfield, MO, 65802. Requested 2-lot Minor Plat Approval on approximately 5.387 acres, adjoining 720 Morton Avenue. The new address will be 730 Morton Avenue.

Ross Drapalik made the presentation to the Plan Commission. Mr. Drapalik told the Commission the plan is for an auto parts store to be built on Lot 2. There are no plans for Lot 1. On the southwest side of Lot 2 there is an ingress and egress access easement. There is no natural entry to State Road 39. The owners of Lot 1 and 2 will take care of any water situation.

REMONSTRATORS: None.

MOTION:

Tom Williams a motion to grant a 2-lot Minor Plat Approval on approximately 5.387 acres adjoining 720 Morton Avenue, Martinsville, IN. The motion was seconded by Tom Williams and passed unanimously.

P-06-01-03. O'Reilly Automotive Inc., 2335 S. Patterson, Springfield, MO, 65802. Requested to change the zoning from AG (Agricultural) to B-2 (Retail Business) on Lot #2 of the Ann McDaniel Minor Plat containing approximately 0.910 acre, located at 730 Morton Avenue.

City Engineer Ross Holloway told the Plan Commission that the property in question had already been zoned B-2 on the adopted maps. Mr. Holloway felt that it would be fair to reimburse the money spent on this request to the Plan Commission.

REMONSTRATORS: None.

MOTION:

Tom Williams made a motion to reimburse the money spent on the request of changing the zoning from AG to B-2 on Lot #2, Ann McDaniel Minor Plat, located at 930 Morton Avenue, as the property is already zoned B-2. The motion was seconded by Terry Collier and passed unanimously.

P-06-01-04. Lakeview Condominiums, c/o Daniel Ferran, 38 North Main Street, Martinsville, IN.

Requested Final Plat Approval for Section Seven of the Lakeview Condominiums on Mallards Crossing.

Ross Drapalik made the presentation to the Plan Commission. Mr. Drapalik said was the final section of the Lakeview Condominiums and would be a one single-family dwelling.

REMONSTRATORS: None.

MOTION:

Douglas Arthur a motion to grant approval for Section Seven of the Lakeview Condo's on Mallards Crossing. The motion was seconded by Richard Walters and passed unanimously.

P-06-01-05. John Newman, 1809 Burton Lane, Martinsville, IN.

Requested 2-lot Minor Plat Approval to be known as the Newman Minor Plat at 1809 Burton Lane.

Ross Drapalik made the presentation to the Plan Commission. Mr. Drapalik said his client, John Newman, wanted to divide a lot at the intersection of Burton Lane and Duo Drive. There are four designated lots in the platted subdivision. All four owners had been informed about the proposed subdivision.

Attorney Rod Bray told the Commission that the proper way to handle this request would be to vacate and modify the subdivision with all property owners in a platted subdivision being informed of plans to divide a lot in the development. Mr. Bray felt it would be all right to go ahead with the request since the four owners in the subdivision had been informed.

City Engineer Ross Holloway said the request could be approved with a stipulation to show how to retain the on-site additional water due to development. There is no storm sewer in the area. Mr. Holloway and Mr. Laymon will look at the area and check for water problems.

REMONSTRATORS:

Ron Macey, 689 Duo Drive. Concerned about the problem of additional drainage of water in the area.

Larry Thacker, 690 Duo Drive. Mr. Thacker did not want any doubles developed in this area. He was also concerned about the water drainage problems.

MOTION:

Douglas Arthur made a motion to grant a 2-lot Minor Plat Approval to be known as the Newman Minor Plat at 1809 Burton Lane with the stipulation that the developer shows how to retain additional water due to development. The motion was seconded by Tom Williams and passed unanimously.

P-06-01-06. Terry D. Clow, 3829 Egbert Road, Martinsville, IN.
Requested a 2-lot Minor Plat Approval on a lot located at 710 East Walnut Street.

Ross Drapalik made the presentation to the Plan Commission. Mr. Drapalik said Mr. Clow wished to divide a lot with two homes on it at 710 East Walnut Street. The lot is in a platted subdivision that has existed in the city quite a while. The homes were constructed years ago before the city stopped allowing two residents on one lot. The homes have been vacant for years. Mr. Clow would like to renovate them and then sell them for single-family homes. In order to sell the homes, the lot has to be split. The setback building line would be 20 ft. in the rear and 20 ft. in the front on Walnut Street. This would be no closer than the current setback line.

City Engineer Ross Holloway said this is where the law requiring notification of all property owners is unworkable. The lots in the subdivision have been split over the years with no official record being made. Mr. Holloway said it would be nearly impossible to notify all the property owners in the subdivision. Mr. Holloway said he felt that what Mr. Clow wants to do with the old homes would be an improvement to the area.

REMONSTRATORS:

Jackie Champlin, 259 South Grant Street. Concerned about the back property line.

Kim Fishel Goodwin represented her mother who is a neighbor. Concerned if the same foundation would be used.

MOTION:

Grady Howard made a motion to grant approval for a 2-lot Minor Plat Approval on a lot located at 70 East Walnut Street as requested by Terry D. Clow. The motion was seconded by Tom Williams and passed unanimously.

OTHER BUSINESS:

Ross Holloway reported the city has a problem with a lot that was created by the deeding of land to a person without going to the city to have the land formally divided. The lot is on South St. Clair Street and was found by accident because the city was looking for another problem. The people involved were given 30 days to come in and discuss the matter with the city. Mr. Holloway said they have not complied. Attorney Rod Bray is to write a letter to the people involved informing them of the infraction.

ADJOURNMENT: There being no further business, the meeting adjourned.

NEXT MEETING: The next scheduled meeting will be at 7:00 PM, Tuesday, February 28, 2006.

David Barger, Chairman

Marilyn Siderewicz, Secretary

Douglas Arthur

Grady Howard

Rod Bray, Attorney

Richard Walters

Ross Holloway

Joanne Stuttgen (ABSENT)

David Trout, Vice-Chairman (ABSENT)

Tom Williams

Mike Kirsch

Terry Collier